

of this bill, and I regard this as discrimination, therefore I change my vote from aye to nay.

So the bill passed title as stated, and the same was ordered to be certified to the House of Representatives under the rule.

Mr. Dayton moved that the rules be waived and that Senate Bill No. 67 be now taken from its order and considered.

Pending which—

Mr. Baker, of the Twentieth District, moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m., Saturday, May 8, 1909.

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## SATURDAY, MAY 8, 1909.

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The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Crill, Cottrell, Davis, Dayton, Girardeau, Harris, Henderson, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, Sloan, Williams, Withers—24.

A quorum was present.

Prayer by the Chaplain.

By unanimous consent the reading of the Journal of the 7th was dispensed with.

The Journal of May 7 was corrected.

Mr. John G. Collins, the Assistant Secretary elect *vice* Mr. Robert O. Sellars, resigned, appeared at the desk and the oath of his office was administered to him by Senator W. Hunt Harris, an officer duly authorized to administer oaths.

A committee from the House of Representatives appeared at the bar of the Senate and extended an invitation from that body for the Senate to attend an address to be delivered by Hon. H. D. Money, United States Sen-

ator from Mississippi, at 10:30 o'clock in the House of Representatives.

### REPORTS OF COMMITTEES.

Mr. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report.

Senate Chamber,

Tallahassee, Fla., May 8, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 261:

A bill to be entitled an act for the protection and preservation of fish in the waters of Lake county and waters subject to the jurisdiction of the courts of said county.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 261, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 8, 1909.

*Hon. F. M. Hudson,*

*President of the Senate.*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 281:

A bill to be entitled an act for the protection and preservation of game birds and certain other birds and animals in Levy County, and to provide that all non-citizens of this State taking, hunting or killing game in said county shall obtain a permit therefor, and to prohibit the

sale in said county or the shipment or carrying therefrom of any deer, deer hides, otter pelts, or game.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 281, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Williams, Chairman of the Committee on Game and Fisheries, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 8, 1909.

*Hon. F. M. Hudson,*  
*President of the Senate.*

*Sir:*

Your Committee on Game and Fisheries, to whom was referred—

Senate Bill No. 264:

A bill to be entitled an act for the protection and preservation of game birds and certain other birds and animals in Lake County, and to provide that all non-citizens of this State taking, hunting or killing game in said county shall obtain a permit therefor, and to prohibit the sale in said county, or the shipment or carrying therefrom of any deer, deer hides, otter pelts or game.

Have had the same under consideration and recommend that it do pass.

Very respectfully,

J. A. WILLIAMS,  
Chairman of Committee.

And Senate Bill No. 264, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Broome, Chairman of the Committee on Engrossed Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 8, 1909.

*Hon. F. M. Hudson,*  
*President of the Senate.*

*Sir:*

Your Committee on Engrossed Bills to whom was referred—

## Senate Bill No. 94:

A bill to be entitled an act "to prohibit bets or wagers upon the result of any trial or contest of skill, speed or power of endurance of man or beast, and to prohibit any person from receiving anything of value, bet or wagered upon any such result, and to prohibit any person from becoming the custodian or depository of any money or other thing, bet or wagered upon any such result, and forbidding any person from aiding, assisting or abetting any such acts, and repealing Section 3581 of the General Statutes of the State of Florida.

Also—

## Senate Bill No. 129:

A bill to be entitled an act to require common carriers to pay claims for lost or damaged freight, express baggage and over charges on freight and baggage and reciprocal demurrage within a certain time, and providing that in the event a common carrier fails to pay said claim within said time that such common carrier shall, in certain cases, be liable for interest on said claim at the rate of fifty per cent per annum, and shall also be liable for a reasonable attorney's fee; and repealing all laws in conflict.

Have had the same bills correctly engrossed and return them herewith.

Very respectfully,

JAMES E. BROOME,

Chairman of Committee.

And Senate Bills Nos. 94 and 129, contained in the above report, were placed on the Calendar of Bills on Third Reading.

## INTRODUCTION OF RESOLUTIONS.

Mr. Humphries offered the following resolution:

Senate Resolution No. 47:

Resolved, That the Board of Commissioners of State Institutions be and are hereby requested to furnish to the Senate Committee on Public Printing a copy or copies of the contract now existing and in force, together with specifications and form or forms of bids, and that

said information be furnished at the very earliest possible day.

Resolved, That the Secretary of the Senate is hereby directed to at once furnish a copy of this resolution, as adopted, to said Board of Commissioners of State Institutions.

Mr. Humphries moved to adopt the resolution.

Which was agreed to, and Senate Resolution No. 47 was adopted.

Mr. Broome offered the following resolution:

Senate Resolution No. 48:

Resolved, That the Committee on Engrossed Bills be allowed the services of an additional clerk from and including Saturday, May 8, 1909.

Which was referred to the Committee on Legislative Expenses.

Mr. Sloan, Chairman of the Committee on Legislative Expenses, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 8, 1909.

*Hon. F. M. Hudson,*  
*President of the Senate.*

Sir:

Your Committee on Legislative Expenses to whom was referred—

Senate Resolution No. 48:

Relative to allowing an extra clerk for the Committee on Engrossed Bills.

Have had the same under consideration and recommend that it be adopted.

Very respectfully,

D. H. SLOAN,  
Chairman of Committee.

Mr. Broome moved to adopt Senate Resolution No. 48. Which was agreed to, and Senate Resolution No. 48 was adopted.

## INTRODUCTION OF BILLS.

By Mr. Baker, of the 20th District—

## Senate Bill No. 380:

A bill to be entitled an act to legalize and confirm the incorporation of the town of Webster, in Sumter County, Florida, and to declare the same a regularly incorporated town.

Which was read the first time by its title and referred to the Committee on Municipalities.

By Mr. Dayton—

## Senate Bill No. 381:

A bill to be entitled an act to authorize the Board of Commissioners of State Institutions to sell the timber or to lease the right of cutting and removing timber found in waters belonging to the State of Florida.

Which was read the first time by its title and referred to the Committee on Agriculture and Forestry..

By Mr. Harris—

## Senate Bill No. 382:

A bill to be entitled an act to provide for the prevention, suppression and control of dangerous contagious and infectious diseases in domestic animals and live stock, and to impose certain duties and confer certain powers on the State Board of Health for such powers.

Which was read the first time by its title and referred to the Committee on Public Health.

By Mr. Miller—

## Senate Bill No. 383.

A bill to be entitled an act concerning obstructions to navigation by bridges or other structures, and remedies therefor.

Which was read the first time by its title and referred to the Committee on Commerce and Navigation.

## MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,  
Executive Chamber,  
Tallahassee, Fla., May 7, 1909.

*Gentlemen of the Legislature:*

The Hon. S. A. Jones, formerly of Tampa, Fla., now of

North Carolina, has sent me a copy of a Resolution which has been passed by several States. Mr. Jones is now endeavoring to secure the passage of a Concurrent Resolution by a number of other States with a view to giving weight to the proposition when it is presented to Congress. The Resolution recommends appropriations of money for improvement of South Port, North Carolina, and Port Royal, South Carolina. It also recommends the construction of a ship canal across Florida, the canal to be built through the Everglades.

We are principally interested in the construction of the Florida ship canal. As there is difference of opinion as to where this canal should be built, it is recommended that the Concurrent Resolution be passed recommending "The opening of the Florida canal along such route as may be selected by United States engineers." This is the only change recommended.

I have the honor to be

Very respectfully,  
ALBERT W. GILCHRIST,  
Governor.

Which was ordered to be spread on the Journal, and was referred to the Committee on Commerce and Navigation.

Also the following message from the Governor was read:

State of Florida,  
Executive Chamber,  
Tallahassee, Fla., May 7, 1909.

*Hon. Frederick M. Hudson,*  
*President of the Senate.*

Sir:

I have the honor to inform you that I have approved and signed the following acts, which originated in your honorable body:

An act to abolish the present municipal government of the town of Jennings, in the County of Hamilton and the State of Florida and to establish, organize and constitute a municipality to be known and designated as the town of Jennings, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

An act defining the boundary line between the coun-

ties of Clay and Putnam in the corporate limits of the town of Melrose.

An act to legalize the election held in the town of Sarasota on the 1st day of December, A. D., 1908, to determine by an affirmative vote of a majority of the qualified electors of said town who were freeholders of said town at the time of voting and for at least six months prior thereto, whether or not the bonds proposed by an ordinance entitled, "An ordinance to provide for the holding of an election in and by the town of Sarasota, Florida, submitting to the duly qualified voters of said town the question of issuing bonds for the purpose of constructing and maintaining a system of sewerage in, and for the purpose of paving the streets of said town, and for the expenditure of the funds arising from the sale of said bonds," passed by the Town Council of said town on the 13th day of October, A. D. 1908, and approved by the Mayor of said town on the 14th day of October, A. D. 1908, should be authorized and issued to declare and render valid and legal said ordinance and to authorize the issue of bonds as provided by said ordinance and to declare valid and binding all bonds which have been or may be issued under the terms of said ordinance and to validate and confirm the election of bond trustees under said ordinance.

Very respectfully,

ALBERT W. GILCHRIST,  
Governor.

Which was ordered to be spread upon the Journal.

Also the following message from the Governor was read:

State of Florida,  
Executive Chamber,

Tallahassee, Fla., May 7, 1909.

*Hon. Frederick M. Hudson,*  
*President of the Senate.*

*Sir:*

I have the honor to inform you that I have received and caused to be filed in the office of the Secretary of State the following measure which originated in your honorable body:

Senate Joint Resolution proposing an amendment to Article 19, of the Constitution of the State of Florida, re-



lating to the manufacture and sale or other disposal of intoxicating liquors or beverages.

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

Which was ordered to be spread upon the Journal.

Mr. Beard moved that the Senate take a recess until 12 o'clock M, in order to accept the invitation of the House of Representatives for the Senate to attend the address of Hon. N. D. Money, of Mississippi.

Which was agreed to.

Whereupon the Senate took a recess to 12 o'clock M.

The Senate resumed its session at 12 M.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th District), Baker (29th District), Broom, Crill, Cottrell, Dayton, Girardeau, Harris, Humphries, Johnson, Leggett, McCreary, Miller, Sams, Sloan, Williams, Withers.—19.

A quorum was present.

Mr. Broome moved that a committee of three be appointed by the President to wait upon Hon. N. D. Money, United States Senator from Mississippi, and thank him, on behalf of the Senate, for his able address delivered this morning in the House of Representatives.

Which was agreed to.

The President appointed Messrs. Broome, Miller and Harris as said committee.

The committee requested leave of absence to perform their duty.

Which was granted, and the committee withdrew from the chamber.

By consent Messrs Baker, of the 20th District, and Crill, were excused from the day's session to meet in committee.

By consent Mr. Johnson was excused until Monday next.

Mr. Harris moved to waive the rules and take up out of its regular order Senate Bill No. 357, now on its third reading.

Which was agreed to by a two-thirds vote.

And—

## Senate Bill No. 357:

A bill to be entitled an act to exempt and relieve certain described territory in Lee county, Florida, from the operation and effect of Section 1223 and 1234 of the General Statutes of the State of Florida, so far as said sections relate to hogs or swine.

Was taken up and read a third time in full.

Upon the passage of Senate Bill No. 357, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (20th. Dist.), Baker (29th Dist.), Broome, Crill, Cottrell, Dayton, Girardeau, Harris, Humphries, Leggett, McCreary, McMullen, Miller, Sloan, Williams, Withers—18.

Nays—None.

So the bill passed title as stated.

And the same was ordered to be certified to the House of Representatives, under the rule.

Mr. McCreary moved to waive the rules and to take up Senate Bill No. 356, now on its second reading.

Which was agreed to by a two-thirds vote.

And—

## Senate Bill No. 356:

A bill to be entitled an act to abolish the present municipal government of the town of Newberry, in the County of Alachua, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Newberry, to define its territorial boundaries, to provide for its jurisdiction, powers and privileges and for the exercise of same.

Was taken up and read the second time by its title only.

And—

Senate Bill No. 356 was referred to the Committee on Engrossed Bills.

Mr. Girardeau moved the rules be waived and that House Bill No. 305 be taken up out of its order and be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And—

## House Bill No. 305:

A bill to be entitled an act to declare legal the incorporation of the town of Monticello, in the county of Jefferson, State of Florida, to define the territorial boun-

daries of said town, and to validate and confirm all acts and ordinances of said town.

Was taken up and read the second time by its title.

Mr. Girardeau moved that the rules be further waived and that House Bill No. 305 be read the third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 305:

A bill to be entitled an act to declare legal the incorporation of the town of Monticello, in the county of Jefferson, State of Florida, to define the territorial boundaries of said town, and to validate and confirm all acts and ordinances of said town.

Was taken up and read the third time in full.

Upon the passage of House Bill No. 305, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (29th District), Broome, Crill, Cottrell, Davis, Dayton, Girardeau, Harris, Humphries, Leggett, McCreary, McMullen, Miller, Sloan, Withers.—17.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

Mr. Humphries moved that the rules be waived and that Senate Bill No. 238 be taken up out of its order.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 238:

A bill to be entitled an act to amend Section 37 of Chapter 5080, Laws of Florida, approved May 29th, 1901.

Was taken up.

Mr. Humphries moved that the rules be waived and that Senate Bill No. 238 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And—

Senate Bill No. 238 was read a second time by its title.

Mr. Humphries offered the following substitute for Senate Bill No. 238:

Substitute for Senate Bill No. 238:

A bill to be entitled an act amending Section 37 of

Chapter 5080, Laws of Florida, approved May 29th, 1901.

Which was read the first time by its title.

Mr. Humphries moved the adoption of the Substitute for Senate Bill No. 238.

Which was agreed to, and the substitute was adopted.

Mr. Humphries moved to waive the rules and that Substitute for Senate Bill No. 238 be read a second time.

Which was agreed to by a two-thirds vote, and Substitute for Senate Bill No. 238 was read a second time in full.

Mr. Humphries moved that the rules be further waived, and that Substitute for Senate Bill No. 238 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

Substitute for Senate Bill No. 238:

A bill to be entitled an act amending Section 37 of Chapter 5080, Laws of Florida, approved May 29, 1901.

Was taken up and read a third time in full:

Upon the passage of Substitute for Senate Bill No. 238 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (29th Dist.), Broome, Cottrell, Davis, Dayton, Girardeau, Harris, Humphries, Leggett, McCreary, McMullen, Miller, Sloan, Williams, Withers—17.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives, under the rule.

Mr. Dayton moved that the Senate do now adjourn to 10 o'clock Monday morning.

Which was not agreed to.

Mr. Dayton moved that House Bill No. 482 be substituted for Senate Bill No. 235.

Which was agreed to, and House Bill No. 482 took the place of Senate Bill No. 235.

And—

By permission, Mr. Dayton withdrew Senate Bill No. 235.

Mr. Dayton moved that the rules be waived and that House Bill No. 482 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 482 was read the second time by its title.

Mr. Dayton moved that the rules be further waived and that House Bill No. 482 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And—

House Bill No. 482:

A bill to be entitled an act to abolish the present municipal government of the town of Dade City, in the county of Paso, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the city of Dade City, and to define its territorial boundaries, to provide for its jurisdiction, powers and privilege.

Was taken up and read a third time in full.

Upon the passage of House Bill No. 482, the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker (29th District), Beard, Broome, Cottrell, Davis, Dayton, Harris, Humphries, Leggett, McCreary, McMullen, Miller, Sloan, Williams, Withers—17.

Nays—None.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

By consent, the Senate took up the order of—

#### MISCELLANEOUS BUSINESS.

Mr. Leggett moved that the Senate do now adjourn until 10 o'clock a. m. Monday next.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock a. m. May 10, 1909.

### MONDAY, MAY 10, 1909.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (29th District),